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REMARKS***Status of the Application***

Claims 15, 22 and 23 are pending. Claims 15 and 23 are rejected as anticipated under 35 U.S.C. § 102. Claim 22 is rejected under 35 U.S.C. § 103. Claims 15 and 23 are provisionally rejected under the doctrine of nonstatutory double patenting over a co-pending application.

Amendments to the Claims

Each of the pending claims is amended to advance the prosecution by specifying that the active material is selected from electroactive materials, photoactive materials, and mixtures of such materials. The basis for these amendments may be found in the specification at page 3, lines 1-7. Each claim has also been amended to specify that the composition is a liquid composition, in accordance with the specification, *inter alia*, at page 14, lines 1-17.

Claim Rejections - 35 U.S.C. § 102**Babb et al., U.S. Patent No. 5,730,992**

Claim 15 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Babb. As noted above, claim 15 has been amended to specify that the active ingredient is selected from electroactive materials, photoactive materials, and mixtures of such materials, limitations not disclosed in Babb. In addition, the claim has been amended to specify that the composition is a liquid composition, and not a laminate as disclosed in Babb.

Poetsch et al., U.S. Patent No. 5,196,140

Claims 15 and 23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Poetsch. Applicants respectfully submit that the limitations introduced by claim amendment also overcome these rejections.

Claim Rejection- 35 U.S.C. § 103

Claim 22 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Poetsch. Applicants respectfully submit that their claim amendments overcome this rejection or else render it moot. Applicants further respectfully assert that Poetsch is directed to a field that is not analogous to the field of the present application, and does not seek to solve a similar or analogous problem. This is primarily because the properties of the additives in Poetsch, and the teachings regarding substituent properties, are all directed to solubility of the additive in at least two liquid-crystalline components and the manner in which the additive can enhance the performance of the liquid-crystalline dielectric (comprised of the additive and at least two liquid-crystalline components) where the dielectric has nematic, cholesteric or smectic properties, properties required for the liquid-crystalline dielectric to function as the liquid crystal layer in an

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LCD device. There is nothing in the reference to suggest that any additive disclosed therein would be useful as a solvent, or a suspension, dispersion or emulsion medium for semiconductors such as electroluminescent materials, buffers, charge transfer materials, or electrodes (i.e., the electroactive or photoactive materials of the amended claims). The dielectric (insulating) quality of the materials in Poetsch, if anything, teach away from applying Poetsch's additives in the present claims because in the present claims the material that is otherwise analogous to the additives in Poetsch is used with conductive or semiconductive materials, and the dielectric or insulating property present in Poetsch's liquid-crystalline dielectric would not contribute favorably to desired properties in Applicants' layers such as light emission or charge transfer. Applicants respectfully assert that the amended claim clarifies this distinction between the application and the reference. Accordingly, Applicants respectfully submit that this rejection be withdrawn.

Nonstatutory Double Patenting Rejections

Claims 15 and 23 are provisionally rejected under the doctrine of nonstatutory double patenting as being unpatentable over claims 1-5 of copending Application No. 10/669,404. Applicants are filing a terminal disclaimer and the 3.73(b) statement concurrently herewith.

CONCLUSION

In view of the foregoing claim amendments, remarks, and the terminal disclaimer being filed concurrently with this paper, Applicants respectfully submit that the above referenced application is in condition for allowance and a notice of allowance is earnestly requested, for Claims 15, 22, and 23.

Respectfully submitted,



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